

FILED

JUL 24 2006

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

NEBRASKA DEPARTMENT
OF INSURANCE

STATE OF NEBRASKA)	CAUSE NO.: A-1672
DEPARTMENT OF INSURANCE,)	
)	
PETITIONER,)	
)	
vs.)	CONSENT ORDER
)	
JAMES D. KNOLL,)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Christine M. Neighbors, and James D. Knoll ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to *Neb.Rev.Stat.* §44-101.01 and §44-4047, *et seq.*
2. Respondent is licensed as a resident insurance producer under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. James D. Knoll on July 11, 2006. A copy of the petition was served upon the Respondent's counsel, Gary Krajewski, and Respondent at his home address of 812 East D Street, Ogallala, NE 69153 by certified mail, return receipt requested.
2. Petitioner alleges Respondent engaged in conduct violating *Neb. Rev. Stat.* §44-4059(1)(d) and (h) as a result of the following conduct:

- a. During the period of time from July 9, 2001 through October 8, 2005, the Keith County Agricultural Society ("KCAS") made periodic insurance premium payments to Respondent totaling \$64,627.00 for policies Respondent placed on behalf of KCAS with TIG Insurance Company. KCAS policy, #KLB0038034461 for period May 1, 2001 to May 1, 2002, was cancelled for nonpayment of premium on November 21, 2001. KCAS policy, #80471528 for period May 1, 2001 to May 1, 2002, was cancelled for nonpayment of premium on February 20, 2002. KCAS policy, #T7003803446101 for period May 1, 2001 to May 1, 2002, was cancelled for nonpayment of premium on November 21, 2001.
- b. Although Respondent continued to bill KCAS for premium on the three policies until October 2005, Respondent did not remit the premium he received from KCAS to the insurer, thus, causing the policies to be canceled for nonpayment of premium.
- c. On or about March 23, 2005, Respondent received a check in the amount of \$1,232.00 for premium for a builder's risk insurance policy for Mark Purlinger. Respondent deposited the check on March 31, 2005 and failed to issue the insurance policy.
- d. On or about May 20, 2004, Respondent received a check in the amount of \$643.00 for premium for a builder's risk insurance policy for Grant United Methodist Church. Respondent deposited the check on May 20, 2004 and failed to issue the insurance policy.
- e. On or about April 26, 2005, Respondent received a check in the amount of \$1,120.00 for premium for a builder's risk insurance policy for Bill Loring. Respondent deposited the check on April 30, 2005 and failed to issue the insurance policy.

3. Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent neither admits nor denies the allegations contained in the Petition and restated in Paragraphs 2 above.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes violations of *Neb.Rev.Stat. §44-4059(1)(d) and (h)*.

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, James D. Knoll, that Respondent's insurance producer license is immediately revoked.

The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Respondent or the Department to make application for such further orders as may be necessary.

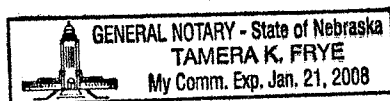
In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his or her signature below.

Christina McNeighbos
Attorney for Petitioner
7/24/06
Date

James D. Knoll
James D. Knoll, Respondent
July 17, 2006
Date [Signature]
Gary Krajewski
Attorney for Respondent

State of Nebraska)
) ss.
County of Keith)

On this 17th day of July, 2006, James D. Knoll personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



Tamera K. Frye
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. James D. Knoll, Cause No.: A-1672.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



L. TIM WAGNER
Director of Insurance

7/24/06

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was served upon Respondent by mailing a copy to his counsel, Gary Krajewski, at 418 North Spruce Street, Ogallala, NE 69153 by U.S. Mail, postage prepaid, on this 24th day of July, 2006.

